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REVIEWS OF BOOKS

BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

Norman Institutions. By CHARLES HOMER HASKINS, Gurney Professor of History and Political Science in Harvard University. [Harvard Historical Studies, vol. XXIV.] (Cambridge: Harvard University Press; London: Humphrey Milford, Oxford University Press. 1918. Pp. xv, 377, plates 7. \$2.75.)

Les Études de M. Haskins sur les Institutions Normandes de Guillaume le Conquérant au XIII^e Siècle. Par JEAN LESQUIER. [Extrait du *Bulletin* de la Société des Antiquaires de Normandie, t. XXXII.] (Caen: Henri Delesques. 1918. Pp. 61-241.)

PROFESSOR HASKINS'S long-expected book is very welcome. Of the six chapters all but one, Normandy under Robert Curthose and William Rufus, have appeared in earlier form in this *Review* or in the *English Historical Review*. Most of the appendixes, which fill more than one-third of the book, are new, and the chapters have been thoroughly revised and made more complete. As is well known, Professor Haskins deals with the institutional history of Normandy from William the Conqueror through the reforms of Henry II. and with the materials for that history. The first three appendixes, two of them new, treat of materials for still earlier Norman history.

Logically the study of the material comes first. On its collection and preparation depends our ability to reconstruct the past. This portion of his task is the strongest part of Professor Haskins's work. In three essential particulars it is worthy of the highest praise: first, in completeness, the book leaves us with the conviction that every known source of material has been thoroughly explored and that, barring the discovery of some now unknown depository, nothing remains to modify the conclusions which we can reach from the scanty materials left us; secondly, in the carefulness and accuracy with which the texts have been prepared, manifest not merely in many convincing rectifications of already published documents but also in the editing of numerous unpublished texts which can be tested for accuracy from seven photographic plates; and thirdly, in the wide variety of illustrative matter drawn upon for comment. It is with regret that one concludes from the appendixes that the idea of Norman *Regesta* from William I. to the accession of Henry II. has been given up. From the diplomatic point of view, Professor Haskins's editing is so superior in technique and accuracy to anything heretofore done in English, so fully on a par with the best work of French scholars, that this decision must be deplored.

On the side of historical result, there are three problems which it was hoped this investigation would go far to solve: the relation of the distinctive Anglo-Norman judicial institutions to those of the later Frankish empire; the relation of the reforms of Henry II. to those of his grandfather, Henry I.; and the priority in time of England or Normandy in the judicial changes. Some light has been thrown on the first two of these questions, tending to show more clearly the connection which has generally been supposed to exist, but it is only the third that has been really solved. Professor Haskins's proof that the new judicial institutions and the new procedure go back in Normandy into the time of Henry's father is as near a demonstration as is possible in history, and, unless some unknown evidence is discovered, the priority of Normandy must be conceded. While this is the largest historical result that has been reached, there are a great many smaller matters of which our knowledge has been increased, or made more definite than before: early feudal arrangements in Normandy; the power of the Norman duke; the Norman side of the institutions transferred to England; the character of the government of Robert Curthose; details of the operation of assizes, jury, and exchequer; and numerous rectifications in fact and chronology, as well as in texts. If the sum total is felt by anyone to be disappointing, it is clear that the scantiness of our material is responsible.

Slips of any kind are rare. Valin on page 266 of his *Duc de Normandie* ascribes his document no. XI. not to Henry alone (p. 221) but to Geoffrey or Henry. The effect of Henry's legislation in 1159 seems carried a bit too far (p. 220), and the meaning "legislative enactment" for "assize" not quite strongly enough emphasized (p. 212), for that usage was general in Europe, and the genealogical descent of that line of meaning (p. 211) can be carried back to the judicial "assessors" of the later empire. The difficulty of distinguishing between witness-proof and recognition is not too strongly insisted upon; "verdict" was not used, I think, for the declaration in witness-proof, and verdict and declaration stood in quite different relations to the judgment made by the court; but it is just as necessary to distinguish between witness-proof and the use of witnesses to inform the jury or themselves to make a part of the jury, these last being steps in the new procedure towards the modern use of evidence. The transition from the old to the new procedure has never yet been thoroughly studied, and the confusion which seems to reign in the facts is not a little discouraging.

M. Lesquier's little book is not a translation of Mr. Haskins's, though occasional passages are translated, nor is it a critical commentary upon it, the compiler nowhere, so far as I have discovered, expressing his own opinion, but it is a quite full abstract of those portions of the book which especially concern Norman history. The manuscript was evidently prepared originally from the papers as they appeared in the *American* and *English Historical Reviews*, but it has had the advantage of the revisions made in the book, of which full use appears to have been made, the chap-

ter on Normandy under Robert Curthose and William Rufus being included, though not all the appendixes germane to the subject are abstracted. So far as tested the abstract seems to have been faithfully constructed both as regards text and notes, which are very fully given with all essential references. While published no doubt particularly for the benefit of those who are interested in the history of the Norman duchy, such a condensation, independent in phrasing, with varying emphasis and slightly different point of view, may be found useful by others.

G. B. ADAMS.

Studies in English Franciscan History. By A. G. LITTLE, M.A.
(New York and London: Longmans, Green, and Company.
1917. Pp. ix, 248. \$3.00.)

It is nearly twenty-seven years since Mr. Little wrote *The Grey Friars in Oxford*, a book which remains, perhaps, the most valuable of all the publications issued by the Oxford Historical Society. The patient labor, seasoned scholarship, and rare historical insight that have characterized Mr. Little's subsequent works on the history of the early English Franciscans, notably his critical edition of Eccleston's *De Adventu Fratrum Minorum in Angliam*—these qualities are still more conspicuous in the present studies, which comprise the Ford Lectures delivered in the University of Oxford in 1916. In these six lectures Mr. Little deals with the Franciscan Observance of the Vow of Poverty; the Failure of Mendicancy; the Relation of the Friars to the Monks and Parish Priests; Popular Preaching; the Influence of the Franciscans in the Education of the Clergy; and the Franciscan School at Oxford.

On all these subjects Mr. Little throws much new light. In the lecture on the education of the clergy, we learn a great deal about Friar John of Wales, who has scarcely received his due meed of recognition in modern times. This remarkable Welshman, who died about 1285, was honored by the title of "Arbor Vitae", and his "Manuals" for the instruction of priests, teachers, and preachers long enjoyed a wide-spread popularity. The lecture on the methods and matter of the early Franciscan preachers, with its wealth of enlivening anecdotes, is also full of interest even for those who are not especially students of Franciscan history. Not the least valuable feature of this lecture is the prominence given to certain different collections of material for preachers compiled by English Franciscans, such as the *Fasciculus Morum*, which has not yet been edited.

Mr. Little takes occasion to correct the erroneous statement of Green that the friars usually settled in "low, swampy and undrained spots in the large towns". Although many of their sites were decidedly undesirable, yet so far from being opposed to hygiene, Mr. Little shows that the efforts of the friars to improve the general sanitary conditions and to obtain a good water supply for their neighbors as well as for themselves, were of great advantage to the crowded towns.